

EXHIBIT 9

Harrington, William Tomas-07-12-04 .txt

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 NORTHERN DIVISION
4 GRAND JURY
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8 IN RE:

9 GRAND JURY INVESTIGATION CRC 03-0233

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14 BE IT KNOWN that on Monday, July 12, 2004,
15 the testimony of WILLIAM THOMAS HARRINGTON was taken
16 before the Grand Jury of the United States District
17 Court for the Middle District of Alabama, Northern
18 Division, in the Grand Jury Room, United States
19 Courthouse, One Church Street, Montgomery, Alabama;
20 MR. STEPHEN P. FEAGA, MR. LOUIS V. FRANKLIN, SR., MR.
21 J. B. PERRINE and MR. JOHN GIBBS interrogating.

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25 WILLIAM THOMAS HARRINGTON

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1 The witness, having first been duly sworn to
2 speak the truth, the whole truth and nothing but the
3 truth, testified as follows:

4

EXAMINATION

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16 about it, what do you mean? You were aware of it,
17 weren't you?

18 A. Well, no, not really. I didn't really -- I
19 didn't pay attention to it.

20 Q. Well, you said you had dinner one night with
21 somebody from GTECH. Is that --

22 A. No, I didn't say I had dinner with him. I
23 said I met him at Bud's.

24 Q. I got you. Well, you knew who they were.
25 That's what I'm getting at.

24

1 A. I knew they were trying to get the lottery to
2 be -- to administer the lottery, yes, sir.

3 Q. Well, that's what I'm getting at. Then you
4 had to be aware that there was some effort being
5 conducted in the state regarding the creation of a
6 lottery if you were aware --

7 A. Well, I knew that. Yeah, I knew that.
8 Sure. I didn't realize it was the Governor doing it.

9 Q. Okay.

10 A. I didn't live in Alabama. I lived in
11 Tennessee. I didn't -- I tried to pay attention to
12 the stuff that affected my business.

13 Q. All right. Isn't it true that Mr. Young, at
14 some point in time after you hired him and up to and
15 including the time that the rebate was actually had,
16 made it known to you that at some point in time you
17 were going to have to -- or you were going to be asked
18 to contribute to the effort to get the lottery
19 created?

20 A. No, sir.

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21 Q. Never suggested that to you?

22 A. No, not at all. Never.

23 Q. You did become aware that after the

24 lottery -- I mean after the rebate was given on the

25 taxes at Emelle that Waste Management was asked to

25

1 make a contribution to the effort to get the lottery

2 passed? Did you know that?

3 A. Only because my counsel told me that last

4 week on the phone.

5 Q. Okay. All right. Were you still working for

6 the company at that time all through 1999?

7 A. Only at the Emelle landfill.

8 Q. Okay.

9 A. After the meeting at the restaurant that you

10 mentioned, someone else took over the operations in

11 Alabama.

12 Q. Okay. What -- what other agendas did you

13 have going on that would cause Lanny to -- or Austin &

14 Young or Tillman to introduce you to the Governor on

15 five occasions -- or have you meet with him or seen

16 him five different times during the first six months

17 of 1999? Was there any other agenda item that you

18 guys were promoting besides getting this referendum?

19 A. Which referendum?

20 Q. I'm sorry. Not the referendum. The tax

21 abatement at Emelle.

22 A. I didn't have anything to do with the

23 referendum.

24 Q. I understand. The tax abatement at Emelle

25 was one of your agenda items. What other agenda item

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14 could be dumped from, where it come from.

15 A. No, sir.

16 Q. Are you -- are you familiar with the news
17 stories that are going on up there in Cherokee County?

18 A. I am now. My lawyer told me about it last
19 week.

20 Q. Okay. Do you know anything about whether or
21 not Lanny Young paid anybody any money up in Cherokee
22 County?

23 A. No, sir.

24 Q. Let me ask you this. Was it a position of
25 waste Management that if the State would give them

30

1 this reduction in fees that the State would make more
2 money because you'd be able it get ~~more waste to dump~~
3 into the Emelle site?

4 A. Absolutely.

5 Q. ~~Now, that~~ in fact didn't happen; is that
6 right? The State didn't make more money; in fact, it
7 lost about a million dollars a year.

8 A. I don't know if they did or not.

9 Q. Okay. well, let me represent to you that
10 they take the position that at least the first year
11 after it happened they lost a million dollars because,
12 well -- so what I want --

13 A. I don't know if they lost the money because
14 they didn't get the additional taxes or if the waste
15 didn't come in.

16 Q. Well, that's what I'm getting at I mean,
17 the idea was there will be more waste if we can reduce
18 these fees, right?